

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

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| BLANCA VALENZUELA, <i>et al.</i> , | § | |
| | § | |
| Plaintiffs, | § | |
| | § | |
| v. | § | Civil Action No. 3-06CV2322-N |
| | § | |
| SWIFT BEEF COMPANY, INC., <i>et al.</i> , | § | |
| | § | |
| Defendants. | § | |

**APPENDIX TO PLAINTIFFS' BRIEF IN SUPPORT
OF MOTION FOR CLASS CERTIFICATION**

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APPENDIX

| <u>Pages</u> | <u>Document title</u> |
|---------------------|--|
| 1-25 | Declaration of Jack Shandley in Cause No. 2:06CV-314-J, in the United States District Court for the Northern District of Texas, styled <i>Swift & Company v. Immigration and Customs Enforcement Division of the Department of Homeland Security</i> . |
| 26-28 | December 13, 2006 U.S. Immigration and Customs Enforcement News Release. |
| 29 | March 1, 2007 U.S. Immigration and Customs Enforcement Fact Sheet. |
| 30-37 | Department of Homeland Security, December 13, 2006 Remarks by Secretary of Homeland Security Michael Chertoff, et.al. at a Press Conference on Operation Wagon Train. |
| 38-39 | Swift & Company Press Release dated May 11, 2007. |
| 40-44 | April 24, 2007 Testimony by John Shandley before the House Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law of the Committee of the Judiciary, United States Congress. |
| 45-60 | Swift Beef Company and Swift & Company's First Supplemental Responses to Putative Class Representatives' First and Second Set of Interrogatories. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008] |
| 61-80 | Sample portion of Exhibit A to Swift Beef Company and Swift & Company's First Supplemental Responses to Putative Class Representatives' First and Second Set of Interrogatories. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008] |
| 81-100 | Sample portion of Exhibit B to Swift Beef Company and Swift & Company's First Supplemental Responses to Putative Class Representatives' First and Second Set of Interrogatories. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008] |
| 101-130 | Deposition of Kathy Weber taken on April 8, 2008. |
| 131-140 | Order dated December 7, 2006 in Cause No. 2:06CV-314-J, in the United States District Court for the Northern District of Texas, styled <i>Swift & Company v. Immigration and Customs Enforcement Division of the Department of Homeland Security</i> . |

- 141-150 Complaint for Declaratory and Injunctive Relief, Cause No. 2:06CV-314-J, in the United States District Court for the Northern District of Texas, styled *Swift & Company v. Immigration and Customs Enforcement Division of the Department of Homeland Security*.
- 151-180 Memorandum of Points and Authority in Support of Plaintiff's Motion for Preliminary Injunction and Expedited Hearing, Cause No. 2:06CV-314-J, in the United States District Court for the Northern District of Texas, styled *Swift & Company v. Immigration and Customs Enforcement Division of the Department of Homeland Security*.
- 181-204 Exhibit C to Swift Beef Company and Swift & Company's First Supplemental Responses to Putative Class Representatives' First and Second Set of Interrogatories. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008]
- 205-344 Deposition of James Hamilton taken on April 9, 2008.
- 345-374 Exhibit 17 to Deposition of James Hamilton taken on April 9, 2008. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008]
- 375-457 Exhibit 10 to Deposition of James Hamilton taken on April 9, 2008. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008]
- 458-491 Exhibit 8 to Deposition of James Hamilton taken on April 9, 2008. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008]
- 492-523 Exhibit 9 to Deposition of James Hamilton taken on April 9, 2008. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008]
- 524-542 Exhibit 5 to Deposition of James Hamilton taken on April 9, 2008. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008]
- 543-561 Exhibit 6 to Deposition of James Hamilton taken on April 9, 2008. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008]
- 562-607 Deposition of Eric Ray taken on April 9, 2008.
- 608-641 Declaration of George Borjas with attachments.
- 642-843 Deposition of Doug Shult taken on April 8, 2008.

- 844-849 Resume of Eric D. Pearson
- 850-852 Resume of Charles Miller
- 853-857 Resume of Michael Heygood
- 858-867 Exhibit 7 to Deposition of Doug Shult taken on April 8, 2008. [SUBMITTED UNDER SEAL with the Joint Submission of Confidential Documents Under Seal Pursuant to Protective Order filed on October 6, 2008]

Respectfully submitted,

/s/ Eric D. Pearson

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CERTIFICATE OF SERVICE

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